

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAY 01 1992

Returned to applicant for correction.

Corrected application filed. Map filed MAY 01 1992

The applicant F.I.M., Corp.  
P.O. Box 12 of Smith  
Street and No. or P.O. Box No. City or Town  
Nevada 89430  
State and Zip Code No. hereby make<sup>s</sup> application for permission to change the  
a portion of the Place of Use and Point of Diversion  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Permit 41361  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
identify right in Decree.

1. The source of water is. Underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 0.17 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for. Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for. Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point. SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 9, T.10N., R.24E., MDB&M, or  
Describe as being within a 40-acre subdivision of public survey and by course and  
at a point from which the NW $\frac{1}{4}$  corner of Sec. 5, T.10N., R.24E., MDB&M, bears N  
distance to a section corner. If on unsurveyed land, it should be stated.  
37° 57' 30" W, a distance of 9201.0'.
6. The existing permitted point of diversion is located within. NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 18, T.10N., R.24E.,  
If point of diversion is not changed, do not answer.  
MDB&M, or at a point from which the NW $\frac{1}{4}$  of said Sec. 18 bears N 60° 28' 18" E,  
a distance of 2027.08'.
7. Proposed place of use. Portions of the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 4, T.10N.,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
R.24E., MDB&M. A total of 10 acres.
8. Existing place of use. A portion of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec 6, T.10N., R.24E., MDB&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
A total of 10 acres.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from. January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from. January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Well, casing, pump and pipelines.  
State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works. \$15,000
13. Estimated time required to construct works. 2 years

14. Estimated time required to complete the application of water to beneficial use..... 3 Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By s/Katherine A. Rice

P.O. Box 130

Smith, NV 89430

Compared bc/bc bk/vjw

**Protested.**

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 41361 is issued subject to the terms and conditions imposed in said Permit 41361 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.17 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 15, 1996

Proof of completion of work shall be filed before..... June 15, 1996

Application of water to beneficial use shall be made on or before.....October 15, 1997

Proof of the application of water to beneficial use shall be filed on or before..... November 15, 1997

Map in support of proof of beneficial use shall be filed on or before.....November 15, 1997.....

Completion of work filed.....**OCT 28 1997**

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. \_\_\_\_\_ Issued. \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 21st day of June

A.D. 1995

19. 95  
*Richard L. Simpson* P.E.  
 State Engineer

Abrogated By: 64862 0.17

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 57565, 57566 and 57851 shall not exceed 372.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this permit requires that a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion from the well under Permit 41361 and accurate measurements must be kept of the water placed to beneficial use. The totalizing meter must be installed at this location at the time of completion of the well drilled under Permit 57565.